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VACATION PAY SCHEDULE

LABOR CODE SECTION 227.3. Unless otherwise provided by a collective bargaining agreement, whenever a contract of employment or employer policy provides for paid vacation, and an employee is terminated without having taken off his vested vacation time, all vested vacation shall be paid to the employee as wages at his final rate in accordance with such contract of employment or employer policy respecting eligibility or time served; provided, however, that an employment contract or employer policy shall not provide forfeiture of vested vacation time upon termination.

worker name Vs. employer name

Alleged vacation plan:

One week's paid vacation after one year of employment
One week's paid vacation after two years of employment
Two week's paid vacation after three years of employment.

QUALIFYING PERIOD		AMOUNT OF VACATION EARNED	VACATION TAKEN	BALANCE DUE
FROM 1/1/06	TO 12/31/06	40 hours	32 hours	8 hours
FROM 1/1/07	TO 10/31/07 (304 days)	65 hours	20 hours	45 hours
FROM	TO			(total 53 hours)
FROM	TO			
FROM	TO			

2 weeks X 40 hours: 80 hours X \$16.00 per hour: TOTAL DUE: \$ 848

(53 hours x \$16 per hour = \$848)

(Pro-rata vacation earned from 1/1/07 to 10/31/07 = 304 days)

Determine amount of pro-rata vacation earned (See above vacation plan)

304 divided by 365 equals 83%
of days accrued accrual percentage

83% times \$ 80 hours equals \$ 65 hours
accrual percentage vacation earned amount due